

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF MASSACHUSETTS

CRIMINAL NO. 05-10001-WGY

UNITED STATES

v.

GREGORY R. WRIGHT

DEFENDANT'S MOTION TO RECALL TWO WITNESSES

The defendant Gregory Wright moves the Court for leave to recall two witnesses, ATF agent Rudnicki and Officer Greg Brown.

With respect to agent Rudnicki, the defendant wishes to examine her about her notes that were produced after the last hearing. Specifically, the notes, which are attached to this motion, directly contradict Rudnicki's testimony and the testimony of officer Brown. The hand written notes reflect a conversation Rudnicki had with Brown on December 22, 2004. It is obvious from reviewing the notes that agent Rudnicki had reviewed the police report authored by officer Brown before she spoke to officer Brown. She asked officer Brown a series of questions to clarify the report. The questions she asked and the answers he gave are set out in the notes:

Q. Did Wright make eye contact?

Yes.

Q. How did he lean forward?

- as 1st BPD car passes - following units able to observe suspect leaning fwd.

Q. Who sees Wright open rear door and get out and grab at sweatshirt

- following units - no specific names

With respect to Officer Brown, the defendant wishes to examine him about the conversation he had with agent Rudnicki, in light of the notes made by Rudnicki. In addition, the defendant wishes to examine officer Brown about a false statement that he signed relating to the number of hours he worked on a paid detail. Among the documents in the IAD file is a "Detail Billing & Payment" form that bears officer Brown's signature. The signature is preceded by the statement "I attest to the accuracy of the hours." From other documents in the IAD file, it is clear that officer Brown will acknowledge that the hours on the form are not accurate. Because the IAD file is under a protective order, the defendant is not filing the document herewith, but will furnish it to the Court at this afternoon's hearing.

Respectfully submitted,
GREGORY R. WRIGHT
By his attorney,

/s/
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Dated: July 27, 2005

12/21/04 - Marianne Hinkley advised State
would like leads to take care of
Greg Wright - apparent AR

AUSA - Nadine Pellegrini

12/21/04 - check w/ South Bay Jail (SID# 26109)
Wright is at South Bay as a sentenced
prisoner - release not due until April 05

→ send Judy detainer - 617-989-6564

12/21/04 - called Dot DC - next ct date
is 1/10/05 for PC hearing on new gun arrest

12/21 - for pardon check negative

12/21 - Fed re rest check


12/21 - int Nexus exam

Sgt Kathy Doherty

Bu# 04-933

Phoenix Arms - Antonio DA made
model HP 22A 22LR
SN - 7248698

w/ 6 live rounds	2	F (Federal)
22 cal ammo	2	T
	1	C (CCI)
	1	C (CCI)

Stainless steel 
blk grips

- ballistic cert obtained this day

TO indict on 12/29 - Postponed to 1/5/05

12/22/04 - phone conversation w/ Greg Brown
re- Greg w/out arrest

PO's involved

car 1 { Greg Brown
Craig Jones
Derek Outerbridge

car 2 { VanLe Mills
Mark Dardley
Arthur Somerville
Lamy Lelester
Stene Lopes
Michael Raye
Mark Frere
John Brown -
Tom Foley

POA 11/8/04 7:54pm - clr weather, Street 1.1

Greg, Craig, Derek in VKØ4

VanLe, Mark, Somerville in VKØ9

Lamy, Tr. Lopes, Raye in VKØ8

Mark Frere, J. Brown, Tom in VKØ2

Q unmarked cars - ye
monitoring 1216 BHA - is this apt bldg? - ^{Carline}Mini
Mar

Q - what direction on BHA was suspect car facing?
- facing Menton Ave - toward city
Greg's car driving in same direction

Q. who was driving your car?

Craig driving
Derek back
Craig front RT pass
best view of
Suspect
car

Q. Did Wright make eye contact?

yes

Q. How did he hear fwd? - as 1st BPD car
passes - following units able to observe Suspect leaving
and

Q. who sees Wright - open rear door - get out
+ grab at Sweatshirt - following units - no specific
names

Q. tried to foot up BATA - apprehended by?
mark, Larry, Greg, Tom - poss. others

Q. Did chase break out? yelling commencing - continue
to run to 1222 BATA toward Tom F.

Q. who took him down? Greg, mark, Larry, Tom -
poss. Steve Lopez? - Larry recovered gun
from Sweatshirt - gun protruding from pocket -
had to wait until cuffed before could be
searched

Q. Wright known to officers? Vance knew him
from Norfolk Sh
Greg?

Q. my statements made on scene re: gun?

yes "where did that gun come from?"

Q. Any F26s - attempted to disarm: no cooperation
knew Omar Edwards from prior shooting - wearing
clothing bag - Craig/Derek stayed at Suspect car